

Applicant: Cornelia Antonie Maria Jaspers
Application No.: 10/519,063

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 1 and 3 are currently pending in this application. Claims 2 and 4 have been canceled without prejudice. Claims 1 and 3 have been amended to more clearly set forth the applicant's intent. In the specification, headings have been added pursuant to the Examiner's and USPTO requirements. The title has been amended pursuant to the Examiner's suggestion. Applicant submits that no new matter has been introduced into the application by these amendments.

Allowable Subject Matter

The Examiner is thanked for indicating that claim 2 contains allowable subject matter if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Objections to the Specification

The Examiner objected to the specification because the Section Headings are missing. The Substitute Specification has been amended to include Section Headings. Accordingly, withdrawal of the objection to the specification is respectfully requested.

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Claim Objections

The Examiner objected to claim 2 for being dependent upon a rejected base claim which would be allowable if rewritten in independent form. Claim 2 has been cancelled, without prejudice, therefore, the objection to claim 2 is now moot.

Double Patenting Rejection

Claims 1, and 3 – 4 are rejected under the judicially created doctrine of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 6 – 7 of U.S. Patent Application Publication No. 10/519,060 in view of U.S. Patent No. 6,944,337 to Jaspers. Claim 4 has been cancelled. As to remaining claims 1 and 3, applicant submits that the present application and copending application 10/519,060, while having common inventorship, do not have common assignees. Therefore, the ownership of the present application and copending application 10/519,060 is not common, and a terminal disclaimer is therefore not proper.

Furthermore, the Jaspers reference (6,944,337) is not prior art under any subsection of 35 USC §102, and is therefore not prior art under 35 USC §103. In regards to §102(a) and §102(b) the Jaspers reference was not patented or published prior to the effective filing date of the present application. The Jaspers reference

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was published in December, 2002. The present application has an effective filing date of July, 2002.

As to §102(e), the inventor of the present application and the reference is the same person, Jaspers. Therefore, as the Jaspers reference is not proper under 35 USC §102, it is improperly used in an obviousness-type rejection. Applicant respectfully requests the withdrawal of the obviousness-type rejection.

The Examiner also objected to the Title because it was not descriptive. The Title has been changed to METHOD AND APPARATUS FOR SIGNAL PROCESSING USING RECONSTRUCTION FILTER, COMPUTER PROGRAM PRODUCT, COMPUTING SYSTEM AND CAMERA.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

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In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1 and 3, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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